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Who’s at the table? An analysis of ministers’ participation in EU Council of Ministers meetings

Caroline Howard Grøn and Heidi Houlberg Salomonsen

ABSTRACT  The Council of Ministers is an important part of EU decision-making. However, contrary to what is formally expected member, states are not always represented by ministers at Council meetings. Unfortunately, our knowledge of who is actually participating is limited. First, the article investigates the extent to which ministers actually participate in Council meetings. We conclude that a substantial number of the participants are not ministers. Second, based on an institutional approach, the article tests six hypotheses as to when ministers participate. Here, we find the salience of meetings, the importance of the policy area, the length of EU membership and a high share of EU-positive parties enhance the likelihood of ministerial participation. Finally, we test whether the existence of junior ministers affects the likelihood of politicians participating. Here, our findings are inconclusive. The article builds on a database including all participants in Council meetings between 2005 and 2009.

KEY WORDS  Civil servants; Council of Ministers; European Union; ministerial representation; ministers

INTRODUCTION

Decision-making in the European Union (EU) takes place in the European Parliament and the Council of Ministers. The impact of EU decision-making on citizens has increased ever since the Treaty of Rome was signed in 1957. While the European Parliament has gained influence with every treaty revision since 1979, the Council remains extremely important for EU decision-making (Buonanno and Nugent 2013: 49), as it must agree to any new legislation before it can enter into force.

The Council consists of three distinct levels (Buonanno and Nugent 2013). Proposals for new legislation are first negotiated in working groups in which member states are represented by civil servants. At this level, civil servants try to reach agreement on as many aspects of an item of legislation as possible. Estimates regarding the number of legislative items finished at this level vary; Häge (2008: 545) estimates 43 per cent of legislation to be agreed upon by a working group. Olsen (2011: 225) shows that dossiers passed on with unresolved issues from working groups are controversial dossiers or have financial...
implications. The second level is the Committee of Permanent Representatives (COREPER); earlier studies shows that the COREPER is characterized by norms of compromise, and the COREPER sees its primary responsibility as agreeing to as much as possible, leaving as little as possible to ministers to negotiate (Lempp 2007; Lewis 2007). Dossiers negotiated in the COREPER are ‘political but technical’ (Bostock 2002: 230). Häge (2008) estimates that 22 per cent of the dossiers are finished in the COREPER, leaving 35 per cent of them to the Council. These dossiers will be the ones which are considered most controversial or substantial in a financial or political sense, together with a few technical dossiers which the politicians decide they want to negotiate themselves, such as fisheries quotas (Bostock 2002: 231).

The Treaty (TEU, 16(2)) states that:

The Council shall consist of a representative of each Member State at ministerial level, who may commit the government of the Member State in question and cast its vote.

However, member states are sometimes represented by their permanent representative or civil servants from the national line ministries in Council meetings. To our knowledge, however, no one has investigated the extent to which this happens.

To the extent practices diverge from the Treaty, this is of importance from a legal-constitutional point of view. To this, we further suggest two substantial points adding to the importance of investigating this issue.

First, the legitimacy of Council decisions rests on ministerial involvement. Several studies have problematized the extent to which decisions are made among civil servants in council working groups or COREPER rather than among the ministers in Council meetings on the grounds of legitimacy and transparency (Häge [2008: 534]; for an overview, see Follesdal and Hix [2006]). However, the extended debate regarding the share of decisions being made in working groups and COREPER (e.g., Beyers 2005: 905; Bostock 2002: 226; Häge 2008; Hayes-Renshaw and Wallace 1997) loses some of its importance if those negotiating in Council are still the civil servants and not politicians. What differentiates the decisions made in working groups from those made in Council if civil servants are negotiating in both venues? This literature clearly suggests that there are substantial differences between the decisions made in Council and at lower levels of the hierarchy in terms of accountability and transparency.

Second, there can be differences in terms of the efficiency of negotiations. As argued above, the dossiers left for the Council are deeply political and left to ministers, as it stands to reason that they have greater bargaining power and a legitimate political capacity to manoeuvre politically in negotiations in such a meeting compared to civil servants. Based on these arguments, we investigate two research questions:
(1) To what extent are member states represented by a minister in Council meetings?
(2) How can we explain the variations in this participation?

To answer these research questions, the article describes when and to what extent ministers or junior ministers participate in Council meetings and tests six hypotheses as to what could explain the variations in how ministers participate. The theoretical frame includes two parts. The first introduces the microfoundation of the theoretical argument. Based upon a general expectation that multiple logics co-exist and inform individuals’ behaviour (Murdoch and Geys 2012: 1372), the article presents both rational and sociological institutional explanations of why ministers may decide to attend Council meetings. The second part introduces six hypotheses formulated on the micro-foundations of the institutional approaches and deduced from existing studies on the workings of the Council, together with the literature on the relationship between politicians and civil servants. Hereafter we describe the design and methodology of the study, after which we present the results of our analysis. The article concludes by revisiting our initial research questions, as well as discussing the empirical findings and possible avenues for future research.

THEORETICAL FRAME

The institutional approach

The micro-foundation of the hypotheses relating to whether ministers decide to go to Brussels or send someone else is based on two logics drawn from institutional theory. Institutional theory has been applied extensively in EU studies in recent years (Jupille et al. 2003). We introduce two complementary rather than competing explanations on behaviour (March and Olsen 2006: 702; Zahariadis 2013): behaviour is guided both by a logic of consequentiality, as argued by a rationalist approach, and on a logic of appropriateness, as argued by a sociological approach to institutional theory (Hall and Taylor 2006; March and Olsen 1989). Inspired by Jupille et al. (2003: 21), we apply a ‘domain of application’ approach to the combination of explanations as the ambition ‘… is not to synthesize theories into one super-model, but to exploit their comparative explanatory advantages as autonomous theoretical constructs’ (Tallberg 2010: 638), in order to ‘… increase our ability to explain the empirical world’ (Jupille et al. 2003: 21).

It has been argued that such an approach is beneficial when ‘… multiple theories explain similar phenomena, when explanatory variables have little overlap, and when these variables do not interact in their influence on outcomes’ (Jupille et al. 2003: 22). Hence, explaining the participation of ministers in Council meetings demands explanatory factors with different foundations, and the variables that we present below are indeed distinctive and have little overlap. Furthermore, we expect the interaction between variables to be very limited.
The two approaches base their explanations on two distinct causal mechanisms. Whereas the rational approach explains behaviour as the outcome of rational calculations on how to maximize interests, the sociological approach points to rule-following as the causal mechanism generating behavioural outcomes (March and Olsen 1989: 22–3). The habitat of a logic of consequentiality is individual interest, exogenous to any specific context in which the behaviour is performed. The habitat of a logic of appropriateness is the endogenously generated norms and rules prescribing which behavioural response is considered appropriate for any given actor in a given situation (March and Olsen 1989: 23), which guide individuals’ interpretation of what is expected and appropriate behaviour for them to perform. In contrast, according to a logic of consequentiality, ‘... actors undertake means–ends calculations in choosing their best course of action. Whatever actors want (and this is canonically to maximize utility), they choose what they believe to be the best means available to attain it’ (Jupille et al. 2003: 12).

Factors affecting ministerial participation in the Council of Ministers

Based on these (micro-level) behavioural assumptions, we develop a number of intermediate-range hypotheses; that is, hypotheses which are ‘operational’ and suited for a subject to test empirically (Jupille et al. 2003: 25). First, we develop hypotheses regarding the salience of the meeting (H1 and H2) and the distance between Brussels and the capital (H3), as well as length of membership (H4) based upon a rational, institutional approach. Second, we develop hypotheses regarding the overall sentiment towards the EU among populations and elités (H6a and b) based on a sociological institutional approach.

Hypothesis 1: salience of the issues on the agenda of the particular meeting

Agendas of Council meetings vary according to number of important discussions. Here, we hypothesize that the salience of a particular meeting affects ministers’ willingness to fly to Brussels. We expect influence-maximizing ministers to be more interested in attending meetings with many substantial issues.

Council agenda items are split into a- and b-points. Whereas a-points have already been settled in meetings among civil servants, working groups or COREPER, b-points are up for political discussion (Hayes-Renshaw 2006: 67). Hence, we expect ministers to be more interested in going to Brussels when they actually have to make decisions as opposed to merely rubber stamping items already settled by lower-level civil servants. Our previous discussion regarding the division of labour between civil servants and ministers in the Council substantiates expectations that the b-points are the politically salient ones, which influence-maximizing politicians would be expected to be interested in. We therefore formulate the first hypothesis as follows:

H1: More ministers or junior ministers will participate in meetings with many b-points on the agenda than meetings with fewer b-points.
**Hypothesis 2: salience of the policy area**

The importance of policy areas differs, as do the costs incurred should a minister decide against participating. Guided by a logic of consequentiality, we expect ministers will attend meetings in highly salient areas, where the potential costs of sending someone else are higher than in less salient areas (cf. Bostock 2002). We examine the salience of the policy area as an explanatory variable, understood as the degree of EU competence within a given policy area. We expect meetings in policy areas with considerable EU competence to attract more politicians than meetings in policy areas with less EU competence. This leads to the second testable hypothesis:

H2: Policy areas with a high degree of EU competence attract more ministers or junior ministers to meetings than policy areas with a lower degree of EU competence.

**Hypothesis 3: distance to Brussels**

On a more practical level, one of the ‘costs’ involved in participating is time. We therefore suggest that that the time it takes ministers to go to Brussels and participate in Council meetings is relevant when they calculate the costs of participating in Council meetings. We hence hypothesize that:

H3: Member states with capitals close to Brussels will be more likely to send a minister or junior minister than those with capitals far from Brussels.

**Hypothesis 4: the size of the political leadership**

All governments must balance the need for a strong political capacity to develop, formulate and monitor the implementation of government policies against the need for a responsive, yet neutral bureaucracy capable of delivering expertise and technical knowledge to the policy process. How this balance is reached varies. Firstly, systems may include junior ministers in the government that are often politically elected actors employed to assist the minister. Secondly, systems may be formally politicized. Formal politicization refers to formal rules prescribing and legitimizing ministers to recruit staff using non-meritocratic criteria, rendering political recruitment possible (Hustedt and Salomonsen 2014). This may be performed as the (legitimate) recruitment of former professional civil servants into top positions in the bureaucracy or the minister recruits political and special advisers for staff functions or fully fledged political cabinets. Although these actors are not typically politicians, they are employed to assist and strengthen the political leadership provided by the minister.

Although both junior ministers and politically appointed civil servants are able to legitimately speak — and in some cases act — on behalf of the minister, we do expect differences in the type of political leadership roles they may perform. Hence, where both of them may represent the minister in relation to the media, speaking for the minister in formal political institutional contexts
such as parliamentary meetings as well as the Council meetings is a responsibility that tends to fall on the junior minister, given their status as politicians rather than political advisors or bureaucrats. We therefore argue that the ‘size of the political leadership’ in terms of the numbers of actors being able to not only represent but just as importantly act as a politician with political bargaining power in such formal institutional settings as the Council is greater in member states with both ministers and junior ministers than in the states that ‘only’ have political civil servants and/or permanent civil servants. In order to minimize the ‘costs’ of sending a non-political actor (and possibly losing some bargaining power) and because there are alternative political actors to send, we expect that:

H4: Ministers or junior ministers from member states with a bigger size of political leadership will be more likely to participate in Council meetings than ministers and junior ministers from systems with a smaller political leadership.

Hypothesis 5: length of EU membership
Panke (2010: 203) has shown that, over time, member states improve their capacity to realize their interests in EU negotiations, for which reason we expect the length of membership to be important for a minister’s decision whether or not to go to Brussels. We would expect that longstanding membership makes it more likely for a member state to send a minister owing to the ‘national’ learning involved in maximizing interests when participating in Council meetings.

H5: Old member states will be more likely to send ministers or junior ministers than new member states.

Hypothesis 6: views on EU in the member state
Turning to the hypothesis based on a more sociological approach, we expect the prevailing views on the EU in the member states to affect a minister’s decision whether or not to attend Council meetings. If the EU is deemed to be a normatively desirable project, we would expect ministers to be more inclined to participate in Council meetings, as such an EU-friendly environment generates normative expectations towards giving EU priority; also in the minister’s calendar.

The differences between the elite’s and the broader population in terms of views on the EU are well established in the literature (Flockhart 2005: 251), for which reason we formulate hypotheses for both. Regardless of the differences between the elite’s and the citizens, we would expect both types of actors to generate normative expectations towards ministerial participation in the EU, and as such those rules will be present as embodied rules of appropriateness in the democracies of the respective member states (March and Olsen 2006: 692). Whereas the citizens’ normative expectations will be reflected and communicated to the ministers through, for example, the public debate on the EU and
in EU elections, we expect the norms generated by the political elite to be reflected in the parliamentary and governmental institutions. We expect that:

H6a: Ministers or junior ministers from member states with a high share of EU-positive citizens will be more likely to participate in Council meetings than ministers and junior ministers from member states with a low share.

H6b: Ministers or junior ministers from member states with a low share of Eurosceptic parties as part of the political elite will be more likely to participate in Council meetings than ministers and junior ministers from member states with a high share of Eurosceptic parties.

RESEARCH DESIGN AND METHODS

Data

The data cover all 362 meetings in the EU Council of Ministers from 2005 to 2009, including all council formations.

For each meeting, the official press release presented on the Council website (http://consilium.europa.eu) was used to record the participants from each member state and the number of items discussed at the meeting, divided into a- and b-points, along with the council formation in question. A total of 13,233 persons officially attended the Council meetings. After excluding cases of more than one attendee per member state (keeping the ‘highest level of attendance’), the effective dataset consists of 9,451 observations.

The dependent variable

The dependent variable in the study was coded dichotomously according to whether or not a given member state sends a minister or junior minister to a Council meeting. The variable is identified by coding the formal title of all participants in the different Council minutes. The participants have subsequently been coded according to whether they are a minister, junior minister with their own portfolio within a ministry, politically appointed civil servant or permanent civil servant. For further details including description of validation, see Appendix A (online supplemental material).

The independent variables

Number of b-points as an indicator of meeting salience. Counting points on the agendas is an approximation of the salience of the meeting. The number of b-points on the agenda have been coded. As b-points, we have coded ‘items debated’ from the minutes, whereas a-points are defined as the category ‘items approved’ from the minutes. The variable is continuous.

Degree of competence as an indicator of policy area salience. The degree of competences has been coded as a dummy/trichotomous variable (see Appendix B,
online supplemental material), distinguishing between Council formations with a high degree of EU competence, shared competence between member states and the EU and a low degree of EU competence.

**Distance to Brussels.** The variable is operationalized as the distance in kilometres from the capital of the member state to Brussels. Distances have been coded based on the website http://www.timeanddate.com.

**The size of the political leadership.** The politico-administrative systems are categorized as four different types of systems reflecting the size of the political leadership: systems with ministers, junior ministers and politically appointed civil servants as well as permanent civil servants (A); with ministers and junior ministers and permanent civil servants but no politically appointed civil servants (B); with ministers and politically appointed civil servants and permanent civil servants but no junior ministers (C); and systems with ministers and only permanent civil servants (D). See also Appendix A (online supplemental material) for the full overview of how each member state is categorized and how we validated these data. In our models, we combine A and B systems, since we have an interest in the size of the political leadership. The variable was used as a dummy in our model.

**Length of membership.** The period of time under study is especially good for testing the hypothesis concerning the length of the membership, since the EU experienced its largest single enlargement in 2004, when 10 new member states joined, two more joining in 2007. We therefore operationalize this variable by distinguishing between the member states that were members before 2004 and those that joined in 2004 and 2007 respectively. The variable is therefore a dummy/dichotomous variable in our model.

**EU support.** The support for EU membership in the general public has been operationalized as the percentage who consider EU membership ‘a good thing’. Using Eurobarometer data, we have calculated the variable as the average of the percentage giving this answer between 2005 and 2009, matching the time we are investigating (Eurobarometer 2005, 2007, 2009). The perception of the EU among political elites has been coded using Chapel Hill data set variable ‘party euroscepticism’ (Hooghe et al. 2010).

**Size of member states.** We add the size of the member state in the final model, as the initial descriptive statistics indicated a certain relationship between member state size and a minister attending the meetings. We operationalize this variable as a continuous variable, based on the number of votes in the Council of individual countries between 2005 and 2009. See Appendix C (online supplemental material).
METHODS

Owing to the dichotomous nature of the dependent variable, a logistic regression model is applied to analyse the data. We are interested in explaining the differences in the member states’ probability of sending a minister or junior minister to Council meetings. The regression results are reported as odds ratios, which describe the relative change in the probability of sending a minister for a specific observation. An odds ratio greater than 1 means an increasing probability of sending a minister, whereas an odds ratio of less than 1 indicates a decreasing probability. When relevant, we have calculated the predicted probabilities. Predicted probabilities (margins) are calculated as average marginal effects (AMEs), where marginal effects are computed for each case after which all of the computed effects are averaged rather than calculating margins at the means of the covariates (MEMs).

The logistic regression model builds on an assumption of independence between observations, which is somewhat violated in our dataset. We would expect a certain dependence at the member state level, because there may be coherent criteria for sending ministers within states. At the same time, factors at the individual meeting level can possibly create dependence between member states’ level of attendance. Since it is unclear which level of dependence is relevant to control for, we cluster standard errors by both member state and meeting respectively. These corrections only affect the determination of statistical significance; and thus our potential for generalization, which will be discussed later.

To compare findings, we did an ordinary least squares (OLS) regression on our data. The results are attached in Appendix D (online supplemental material). The OLS regression analysis shows similar patterns as the logistic regression; however, some of the variables that are not significant in our second model turned out to be significant in the OLS. This indicates that our model might be a more pessimistic model than if we had carried out an OLS.

RESULTS

Identifying variation: how often do they send the minister?

First, we investigate the extent to which member states send ministers to Council meetings. On average, 76 per cent of the attendees were ministers in all of the meetings included in the analysis and 9 per cent were junior ministers. Politically appointed civil servants constitute on average 4 per cent of the participants; the remaining 11 per cent are permanent civil servants. While there are no significant variations over time in terms of who attends meetings, there are rather substantial variations between member states, as illustrated in Table 1.

Finland tops the chart, sending ministers to 93 per cent of all meetings. Examining the figures more closely, a considerable number of member states
Table 1  The extent to which member states send a minister, junior minister, politically appointed or permanent civil servant to Council meetings on average between 2005–2009, standard deviations included

<table>
<thead>
<tr>
<th></th>
<th>Minister SD</th>
<th>Junior minister SD</th>
<th>Politically appointed civil servant SD</th>
<th>Permanent civil servant SD</th>
<th>SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finland</td>
<td>93%</td>
<td>1.3%</td>
<td>0%</td>
<td>7%</td>
<td>1.3%</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>91%</td>
<td>1.5%</td>
<td>1%</td>
<td>8%</td>
<td>1.5%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>90%</td>
<td>1.6%</td>
<td>*</td>
<td>10%</td>
<td>1.6%</td>
</tr>
<tr>
<td>Belgium</td>
<td>89%</td>
<td>1.7%</td>
<td>4%</td>
<td>7%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Sweden</td>
<td>88%</td>
<td>1.7%</td>
<td>0%</td>
<td>9%</td>
<td>1.5%</td>
</tr>
<tr>
<td>Italy</td>
<td>87%</td>
<td>1.8%</td>
<td>2%</td>
<td>0%</td>
<td>1.7%</td>
</tr>
<tr>
<td>Austria</td>
<td>85%</td>
<td>1.9%</td>
<td>7%</td>
<td>0%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>83%</td>
<td>2.0%</td>
<td>*</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Denmark</td>
<td>77%</td>
<td>2.2%</td>
<td>*</td>
<td>23%</td>
<td>2.2%</td>
</tr>
<tr>
<td>Spain</td>
<td>76%</td>
<td>2.2%</td>
<td>20%</td>
<td>0%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Estonia</td>
<td>76%</td>
<td>2.2%</td>
<td>2%</td>
<td>0%</td>
<td>2.2%</td>
</tr>
<tr>
<td>Portugal</td>
<td>76%</td>
<td>2.3%</td>
<td>19%</td>
<td>0%</td>
<td>1.1%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>75%</td>
<td>2.3%</td>
<td>9%</td>
<td>1.5%</td>
<td>1.9%</td>
</tr>
<tr>
<td>Latvia</td>
<td>74%</td>
<td>2.3%</td>
<td>*</td>
<td>4%</td>
<td>1.1%</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>73%</td>
<td>2.3%</td>
<td>*</td>
<td>19%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>73%</td>
<td>3.0%</td>
<td>19%</td>
<td>0%</td>
<td>1.8%</td>
</tr>
<tr>
<td>Greece</td>
<td>73%</td>
<td>2.3%</td>
<td>2%</td>
<td>0%</td>
<td>2.5%</td>
</tr>
<tr>
<td>France</td>
<td>73%</td>
<td>2.3%</td>
<td>17%</td>
<td>1%</td>
<td>10%</td>
</tr>
<tr>
<td>Cyprus</td>
<td>72%</td>
<td>2.4%</td>
<td>*</td>
<td>*</td>
<td>2.4%</td>
</tr>
<tr>
<td>Germany</td>
<td>71%</td>
<td>2.4%</td>
<td>10%</td>
<td>19%</td>
<td>0%</td>
</tr>
<tr>
<td>Hungary</td>
<td>71%</td>
<td>2.4%</td>
<td>24%</td>
<td>4%</td>
<td>0%</td>
</tr>
<tr>
<td>Ireland</td>
<td>68%</td>
<td>2.5%</td>
<td>20%</td>
<td>4%</td>
<td>0%</td>
</tr>
<tr>
<td>Malta</td>
<td>67%</td>
<td>2.5%</td>
<td>12%</td>
<td>1.7%</td>
<td>20%</td>
</tr>
<tr>
<td>Poland</td>
<td>67%</td>
<td>2.5%</td>
<td>0%</td>
<td>32%</td>
<td>2.5%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>63%</td>
<td>2.5%</td>
<td>*</td>
<td>28%</td>
<td>2.4%</td>
</tr>
<tr>
<td>Romania</td>
<td>60%</td>
<td>3.4%</td>
<td>33%</td>
<td>*</td>
<td>9%</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>56%</td>
<td>2.6%</td>
<td>30%</td>
<td>4%</td>
<td>11%</td>
</tr>
<tr>
<td>EU average</td>
<td>76%</td>
<td>0.4%</td>
<td>9%</td>
<td>2%</td>
<td>0.2%</td>
</tr>
</tbody>
</table>

Note: * member state does not formally have a such actor in the politico-administrative system.

send ministers to more than 80 per cent of the meetings (eight countries). At the bottom of the chart, the United Kingdom (UK) sends ministers slightly more than half of the time (56 per cent), closely followed by Romania (60 per cent). However, around half of the member states (13) send a minister 71–77 per cent of the time, three out of four meetings, reflecting that the member states and ministers of the national governments prioritize the meetings in their otherwise busy schedules. Looking at the standard deviations, the
variations in the extent to which member states send ministers are clearly rather small.

When we combine the categories minister and junior minister (see Appendix E, online supplemental material), we see 10 countries represented by a minister or junior minister at more than 90 per cent of all meetings. At the other end of the scale, Slovakia is only represented by a minister or junior minister in 63 per cent of the meetings. We also see that Romania and the UK, placed at the bottom earlier, rise through the ranks when including junior ministers. The division of labour between ministers and junior ministers in the two countries thus offers some explanation as to why the ministers do not attend many meetings.

The table reveals that there are variations in the attendance of ministers and junior ministers in Council meetings. These are pursued in the subsequent section, which presents the results of the analysis of the hypotheses.

**Explaining variation: when and why do member states send the minister?**

Table 2 shows two models testing the hypotheses. In the first model, we correct for dependence in our data at the level of individual meetings, while the second model tests for dependence at the member state level. Both models have relatively low explanatory power, looking at pseudo $r^2$, whereas a number of correctly classified units provide a more favourable impression of the explanatory power of the model. Beyond the fact that there might be important explanatory factors which we have not been able to include in this dataset, both indicators should be interpreted remembering the limited variation we explaining: ministers participate in most meetings. We test two different sets of variables. In the first two models, we work with the full data set. This means that we cannot test the importance of Eurosepticism among parties, since we have no data for Malta and Cyprus. We have hence carried out two separate regressions to include both the version where all of the member states are included and the version excluding Malta and Cyprus.

The first hypothesis addressed the salience of a given meeting. The models show similar results. As expected, the models illustrate that the likelihood of ministers participating in a meeting increases according to the number of b-points. The coefficient is not very large, but the coefficient shows the multiplicative change in the odds of a minister attending the meeting when one extra b-point is added to the agenda. Since the number of b-points varies between 1 and 21, the average being 6.14 and the standard deviation 4, one b-point is obviously only a small change. Overall, our first hypothesis is therefore corroborated. Calculating predicted probabilities, the impact of adding one extra b-point to the agenda is greatest when few b-points are on the agenda and that the effect of adding an extra point diminishes with the number of b-points (see Appendix F, online supplemental material).

Our second hypothesis addressed the salience of the policy area. For both models, the analysis shows that, compared to the group of Council formations
with shared competences between the EU level and member states, the group of Council formations with a high degree of EU competences has, as expected, a larger share of ministers attending. A minister is more likely to participate in a meeting in a high salience policy area than one of medium salience. As expected, the probability that a minister will participate falls when moving from a formation with shared competence to one with less EU competence.

Table 2: Logistic regression model for ministers participating in Council meetings

<table>
<thead>
<tr>
<th>Minister or junior minister attending</th>
<th>I – meeting Odds ratio (SE)</th>
<th>II – member state Odds ratio (SE)</th>
<th>III – meeting Odds ratio (SE) excluding CY and ML</th>
<th>IV – member state Odds ratio (SE) excluding CY and ML</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-points</td>
<td>1.113***</td>
<td>1.113***</td>
<td>1.107***</td>
<td>1.107***</td>
</tr>
<tr>
<td>(0.0209)</td>
<td>(0.0116)</td>
<td>(0.0215)</td>
<td>(0.0112)</td>
<td></td>
</tr>
<tr>
<td>High competence</td>
<td>1.524**</td>
<td>1.524***</td>
<td>1.592**</td>
<td>1.592***</td>
</tr>
<tr>
<td>(0.218)</td>
<td>(0.180)</td>
<td>(0.237)</td>
<td>(0.208)</td>
<td></td>
</tr>
<tr>
<td>Low competence</td>
<td>0.750</td>
<td>0.750*</td>
<td>0.774</td>
<td>0.774</td>
</tr>
<tr>
<td>(0.112)</td>
<td>(0.101)</td>
<td>(0.123)</td>
<td>(0.115)</td>
<td></td>
</tr>
<tr>
<td>New member state</td>
<td>0.528***</td>
<td>0.528</td>
<td>0.336***</td>
<td>0.336***</td>
</tr>
<tr>
<td>(0.322)</td>
<td>(0.175)</td>
<td>(0.0253)</td>
<td>(0.0864)</td>
<td></td>
</tr>
<tr>
<td>(0.148)</td>
<td>(0.501)</td>
<td>(1.143)</td>
<td>(0.442)</td>
<td></td>
</tr>
<tr>
<td>System B</td>
<td>1.444**</td>
<td>1.444</td>
<td>0.826</td>
<td>0.826</td>
</tr>
<tr>
<td>(0.133)</td>
<td>(0.349)</td>
<td>(0.110)</td>
<td>(0.319)</td>
<td></td>
</tr>
<tr>
<td>System C</td>
<td>0.773**</td>
<td>0.773</td>
<td>0.698**</td>
<td>0.698</td>
</tr>
<tr>
<td>(0.0677)</td>
<td>(0.270)</td>
<td>(0.0845)</td>
<td>(0.275)</td>
<td></td>
</tr>
<tr>
<td>Distance</td>
<td>1.000***</td>
<td>1.000</td>
<td>1.000</td>
<td>1.000</td>
</tr>
<tr>
<td>(0.0000502)</td>
<td>(0.000214)</td>
<td>(0.0000677)</td>
<td>(0.000193)</td>
<td></td>
</tr>
<tr>
<td>Size</td>
<td>0.978***</td>
<td>0.978</td>
<td>0.981***</td>
<td>0.981</td>
</tr>
<tr>
<td>(0.00392)</td>
<td>(0.0147)</td>
<td>(0.00413)</td>
<td>(0.0118)</td>
<td></td>
</tr>
<tr>
<td>Population pro EU</td>
<td>0.362***</td>
<td>0.362</td>
<td>0.147***</td>
<td>0.147*</td>
</tr>
<tr>
<td>(0.0946)</td>
<td>(0.392)</td>
<td>(0.0421)</td>
<td>(0.132)</td>
<td></td>
</tr>
<tr>
<td>Parties pro EU</td>
<td>22.72***</td>
<td>22.72**</td>
<td>22.72**</td>
<td>22.72**</td>
</tr>
<tr>
<td>(6.490)</td>
<td>(24.30)</td>
<td>(6.490)</td>
<td>(24.30)</td>
<td></td>
</tr>
<tr>
<td>Constant</td>
<td>7.492***</td>
<td>7.492*</td>
<td>1.873*</td>
<td>1.873</td>
</tr>
<tr>
<td>(1.915)</td>
<td>(6.922)</td>
<td>(0.487)</td>
<td>(1.755)</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>9478</td>
<td>9478</td>
<td>8754</td>
<td>8754</td>
</tr>
<tr>
<td>pseudo $R^2$</td>
<td>0.0482</td>
<td>0.0482</td>
<td>0.0606</td>
<td>0.0606</td>
</tr>
<tr>
<td>Correctly classified units (pct)</td>
<td>84.30</td>
<td>84.30</td>
<td>84.96</td>
<td>84.96</td>
</tr>
</tbody>
</table>

Notes: *p < 0.05; **p < 0.01; ***p < 0.001.
The difference is only significant in model II, however, and only at 0.05, and not for the models excluding Malta and Cyprus. Overall, we do find a tendency for more ministers and junior ministers to participate in meetings within a policy area with strong EU competence than in formations with weaker competence. But our data suggest that the difference is most pronounced between Council formations with a strong EU competence and subsequent formations.

Recalculating coefficients into probabilities, the predicted probability of a minister or junior minister attending a Council meeting within a high salience area is 87 per cent, a meeting in a medium salience area is 82 per cent and in a meeting of low salience 78 per cent (see Appendix F, online supplemental material).

The third hypothesis concerned whether the geographical distance to Brussels had an impact on ministerial participation in Council meetings. The ratio is 1.0000 and is only found significant in the first of the four models. We do not find this hypothesis corroborated.

Our fourth hypothesis deals with the politico-administrative system in the member states and ‘size of the political leadership’, understood as the number of different types of political actors member states have. We expected that member states with both ministers and junior ministers would be more likely to send a minister or junior minister to Brussels.

As Table 2 illustrates, however, the two models produce different results. When correcting for dependencies between member states (model II), the size of political leadership becomes insignificant. In model I, however, there are significant differences between the systems in some cases. The table shows that comparing the systems which have junior ministers (A and B) to system D, which we have defined as our category of reference, there is a significantly greater chance that ministers or junior ministers will participate in meetings in Brussels when examining the countries without junior ministers. However, we find no significant difference between systems C and D. Our findings thus indicate that it matters if countries have junior ministers, but this relation is mediated by country-specific differences.

The fifth hypothesis concerns the length of EU membership. The first two models display slightly different results. For both models, the coefficient shows that the probability of sending a minister falls significantly if the member state in question is a new member state. Calculating the predicted probability, there is an 88 per cent likelihood of a minister or junior minister from an old member state attending as compared to an 80 per cent likelihood for ministers or junior ministers coming from a new member state. However, the model, which takes the possible dependencies within member states into consideration, shows a level of significance which is lower than the model in which we test for dependencies at the meeting level. This finding does not seem too surprising. Excluding Malta and Cyprus, we find that both models III and IV are significant; however, the effect of being a new member states has been diminished compared to models I and II. Hypothesis 5 is corroborated.
Our sixth hypothesis deals with the normative expectations for ministers to go to Brussels. Looking across all four models, we find that the more EU-positive the population, the lower the chance that ministers or junior ministers will participate in council meetings. This effect is quite substantial (see Appendix F, online supplemental material). Hence, we do not find evidence in favour of Hypothesis 6a, which is rejected.

Turning to Hypothesis 6b we find quite a substantial effect in the opposite direction (see also Appendix F, online supplemental material). Here, we corroborate the hypothesis: the higher the share of EU positive parties, the more ministers or junior ministers will be inclined to participate in Council meetings.

Finally, we tested for the size of the member state, understood as the number of votes in the Council. Here, our models indicate a slightly decreasing likelihood of a minister participating in a meeting when member state size increases. The finding is not significant when we test for member state, however, and we find that the variation is probably better explained by other differences between member states than size.

DISCUSSION AND CONCLUSION

Action is rule based, but only partly so. There is a great diversity in human motivation and modes of action. Behavior is driven by habit, emotion, coercion, and calculated expected utility, as well as interpretation of internalized rules and principles. (March and Olsen 2006: 701)

Our aim was to investigate the extent to which member states are represented by a minister in Council meetings and how variations in such participation can be explained. Our findings indicate that ‘minister’ is the type of actor most often present in the meetings.

Turning to the explanations of the variance identified, the analysis corroborates three of the hypotheses based on a rational approach; that is, the salience of the meeting, policy area and length of membership. However, the hypothesis regarding the size of the political leadership shows a more ambiguous result, indicating that there are factors other than ‘merely’ the size of the political leadership of a politico-administrative system that determine whether the minister or junior minister chooses to participate in a Council meeting. The analysis is based on comparing formally equivalent actors, but investigating the functional equivalence of those actors may reveal differences we are not able to identify in this type of data. Hence, alternative explanations may emerge if both the differences in administrative traditions (Painter and Peters 2010) and the (potential) differences in the actual roles, functions and competencies of the junior ministers, politically appointed civil servants and the permanent civil service across the member states were included in the empirical investigations. Junior ministers’ roles are multi-faceted, including departmental work, parliamentary duties, ‘ambassadorial’ and ‘representative’ functions (Theakston et al. 2014) to
‘oversight mechanisms in coalition governments’ (Lipsmeyer and Pierce 2011). Further differences may occur between politically appointed civil servants and political advisers, or even within the group of advisers per se (OECD 2011). Finally, we reject the rational hypothesis based on the costs of participating in meetings based on the geographical distance.

Regarding the explanations based on a sociological approach, the findings are more mixed. We find (as expected) that ministers or junior ministers from member states with a low share of Eurosceptic parties as part of political elite are more likely to participate in Council meetings. Contrary to our expectations, ministers or junior ministers from member states with little Euroscepticism are less likely to participate in Council meetings. It is possible that the dynamics we discussed above are actually the opposite. In member states with a low degree of Euroscepticism, politicians feel less obliged to go to Brussels and defend national interests and more inclined to stay at home and focus on their national electoral arena; an argument which also illustrates that both normative and calculative forces may be in play.

In a more theoretical vein, the article has contributed to the literature by applying an institutional approach to the EU in two ways. First, the analysis has revealed that although participation is a treaty-based obligation, such formal rules are not unambiguous and hence subject to interpretation, as is also the case in national democracies. Furthermore, our analysis illustrates that the way member states interpret these informal norms is not only based on what is going on in Brussels, but not least what the national political systems and political preferences look like. Ministers’ behaviour in Brussels is, hence, determined both by the institutional structure of the EU and by national peculiarities. Second, inspired by Jupille et al. (2003: 21), we have applied a ‘domain of application’ approach in the analysis. The analysis clearly supports the argument that, as reflected in the quote above, the two institutional approaches are complementary. However, the analysis does not enable us to specify under which conditions which institutional logic will be most decisive.

Further, the findings may be contextualized in a discussion of the legitimacy and effectiveness of the EU system as such. We pointed out the implications for the legitimacy and efficiency of Council decision-making at the outset. Looking at our results, we conclude that while the overall picture shows a relatively high attendance rate, the attendance rate is much lower for some member states. In terms of the legitimacy of the outcome of decisions, this means that some member states do not participate in the indirect legitimization of decisions as often as others. While the implications for the EU as such may not be overwhelming, we may expect them to be more severe in these particular member states. In terms of efficiency, it may be argued that some member states might be systematically hamstringing themselves in negotiations.

This point addresses the limitations of this study. We raise the question of whether the participation of a minister in Council is of consequence beyond
the question of the legitimacy and the effectiveness of decisions made for the EU system. Does ministerial presence actually result in influence? We expect ministers to be able to bargain in a different and more effective manner than civil servants. On the other hand, sending a civil servant may be considered a ‘self-binding’ strategy (e.g., Grieco 1995). Moreover, it is entirely possible that a civil servant at the table who knows a dossier by heart might be preferable to a minister who has little clue as to what the dossier is actually about. This study is only able to speculate as to the actual impact on decision-making of sending a minister, and it would be interesting for future research to explore this question alongside those raised concerning the legitimacy and effectiveness of the EU system as such.

When examining the ongoing debate concerning reluctance towards the EU, the lack of knowledge of what goes on in the EU (e.g., as illustrated in Eurobarometer [2013: 6, 35]) and importance placed on being visible in national politics by ministers, one might expect that the rational choice for ministers interested in maximizing political influence would be to stay home. This begs the question: why make the trip to Brussels at all? After exploring the rational explanations, a vote-seeking argument would be that ministers should let their civil servants deal with the negotiations in Brussels and stay home to deal with domestic issues. In this context, our findings show that quite a few ministers seem to act according to logics other than vote-seeking (Müller and Strom 1999: 12).

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SUPPLEMENTAL DATA AND RESEARCH MATERIALS

Supplemental data for this article can be accessed on the Taylor & Francis website, doi: 10.1080/13501763.2014.983145.

NOTES

1 The only variables which may interact are the salience of a given policy area and the number of b-points. However, these factors are both based on a rational behavioural logic, and the overlap hence seems less important than had the overlap been between rational and sociologically derived hypotheses.
2 Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and the United Kingdom.
3 Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.
4 Romania and Bulgaria.
5 For Romania and Bulgaria, the data are from 2007–2009 (Eurobarometer 2007, 2009).
6 Here and in the following sections, the margins are calculated based on model III of the full model, including variables, and hence excluding Malta and Cyprus. Using model II as basis, the percentages are the same, but standard deviations increase, reflecting the lower level of significance also identified in Table 2. All of the predictive margins are calculated at a confidence interval of 95 per cent.
7 Cf. note 6 above. There is a standard deviation of 0.7 per cent for old member states and 0.9 per cent for new member states; hence, the finding is significant.

REFERENCES


